

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING
DIVISION OF PROFESSIONAL REGULATION
MECHANICAL BOARD**

1511 Pontiac Avenue, Bldg 70, 2nd Floor Conference Room

Cranston, RI 02920

WEDNESDAY January 7, 2015

In attendance: Dennis Brennan

Stanley Davies, Chair

Timothy Byrne

Steven Gray

Bobby Joe Harris

Michael Januairo

Charles Wright

Quinlan T. Regan

Robert J. Eva

Board Members Fred Foeri and Jack King were not in attendance.

Also in attendance were Nicholas Ranone, Chief Mechanical Investigator; John Shaw, Administrator; and Valentino Lombardi, DLT Legal Counsel.

1.) Call to Order: Stanley Davies called the meeting to order at

9:05am.

2.) Minutes of the December 3, 2014 Meeting: Charles Wright made a motion to accept the minutes of December 3, 2014 meeting as written with two (2) corrections; seconded by Timothy Byrne and passed unanimously by the Board.

3.) Conflict of Interest – Legal Counsel will address the Board concerning compliance with conflict of interest requirements: Val Lombardi, DLT Legal Counsel, reminds board members that they are subject to the RI conflict of interest laws and of their responsibility to disclose conflicts of interest, financial or otherwise, and should recuse from hearing and voting on the matter.

4.) Violation Appeal Hearings:

Davis R. Raposa- Raposa Climate Control Systems- Violation 5002:

Mr. Raposa did not show for hearing and it was held.

Joseph E. Braga- Dynamic Air Systems Inc- Violation 5016:

Nick Ranone was sworn in.

Joseph E. Braga, Mr. Rodrigo DaSilva and Mr. Christopher Braga were sworn

Nick Ranone read the violation.

**LOCATION OF VIOLATION: Dunkin Donuts, 381 Metacom Avenue,
Bristol,
RI 02809**

VIOLATION: On 12-1-2014, Nick Ranone, Chief Mechanical Investigator, and Mr. Robert Fratus, Chief Electrical Investigator, witnessed Mr. Christopher

M. Braga and Mr. Rodrigo R. DaSilva, two (2) employees of Dynamic Air Systems Inc., 135 Mauran Avenue, East Providence, RI installing t20 (2) gas fired hot air furnaces in the ceiling at the above mentioned location. After speaking with Mr. Braga and Mr. DaSilva, they both admitted to installing the duct work off both furnaces.

Mr. Christopher Braga was working with an expired Refrigeration card (#21341). Mr. Dasilva does not and never did hold any license whatsoever. Nor is he a registered apprentice with the State of RI.

Nick Ranone provided testimony and was questioned by the board.

Nick Ranone submitted one (1) packet of photos marked as exhibit #1.

Mr. Joseph Braga provided testimony and was questioned by the board.

This is one (1) violation of RIGL 28-27-6 Corporations and firms engaged in business. (paragraph 2, section b. unlicensed employees)

The company vehicle that was being used and parked on site was not lettered. This is one (1) violation of RIGL 28-27-19 License displayed in place of business.

There are two (2) violations at \$1500.00 each, totaling \$3000.00.

Charles Wright made a motion that a violation did occur and seconded by Tim Byrne. The motion was passed unanimously.

Motion was made by Charles Wright to uphold the fine of \$3000.00 and seconded by Tim Byrne. The motion passed unanimously.

The recommendation will be forwarded to the Director's office.

Christopher M. Braga –Violation 5017:

**LOCATION OF VIOLATION: Dunkin Donuts 381 Metacom Avenue,
Bristol, RI 02809**

Providence, RI 02914

**VIOLATION: On 12-1-2014, Nicholas Ranone, Chief Mechanical
Investigator**

**and Mr. Robert Fratus, Chief Electrical Investigator, witnessed Mr.
Christopher M. Braga and Mr. Rodrigo DaSilva, two (2) employees of
Dynamic Air Systems Inc. 135 Mauran Avenue, East Providence, RI,
installing two (2) gas fired hot air furnaces in the ceiling at the above
mentioned location.**

**After speaking with Mr. Braga and Mr DaSilva, they both admitted to
installing the duct work off both furnaces.**

**Mr. Christopher Braga was working with an expired Refrigeration 2
Apprentice card (#21341).**

**This is one (1) violation of RIGL 28-27-28 Practices for which a license
is required.**

**Motion was made by Tim Byrne that a violation did occur and
seconded by Charles Wright. Motion passed unanimously.**

Tim Byrne made a motion that the fine of \$1500.00 be suspended for one (1) year provided there are no further violations, seconded by Charles Wright. Motion passed unanimously.

The recommendation will be forwarded to the Director's office.

Rodrigo R. DaSilva - 5018:

**LOCATION OF VIOLATION: Dunkin Donuts 381 Metacom Avenue,
Bristol, RI
02809**

VIOLATION: On 9-18-2014 Nicholas Ranone, Chief Mechanical Investigator,

and Mr. Robert Fratus, Chief Electrical Investigator, witnessed Mr. Rodrigo

DaSilva and Mr. Christopher Braga, two (2) employees of Dynamic Air Systems

Inc., 135 Mauran Avenue, East Providence, RI installing two (2) gas fired hot air

furnaces in the ceiling at the above mention location. After speaking with Mr.

Braga and Mr. DaSilva, both admitted to installing the duct work off both

furnaces. Mr. DaSilva does not hold a RI Refrigeration, Pipefitter and

/ or

Sheet Metal license, nor is he a registered apprentice in the State of RI to do this type of work

This is one (1) violation of RIGL 28-27-28 Practices for which a license is required.

Motion was made by Tim Byrne that a violation did occur and was seconded by Charles Wright. Motion passed unanimously.

Tim Byrne made a motion to suspend the \$1500.00 fine for one (1) year provided there are no further violations, seconded by Terry Quinlan.

Motion passed unanimously.

The recommendation will be forwarded to the Director's office.

5.) Todd Varatta-Appeal to sit for Refrigeration Master 2 Exam

Motion was made by Charles Wright to table the discussion until February meeting, seconded by Terry Quinlan. Motion passed unanimously.

6.) Old Business-Review of proposed changes to Rules & Regulations and proposed licenses

Discussion

Charles Wright, Tim Byrne and Terry Quinlan have formed a sub committee to discuss changes to Rules and Regulations and changes to the law.

7.) Adjournment: Meeting was adjourned at 10:30am

Motion made by Charles Wright to adjourn seconded by Robert Zuba.

Motion passed unanimously.